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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,056	07/24/2006	Matthew Richard alex Nye-Hingston	P71243US0	9929

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

MAIL DATE	DELIVERY MODE
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07/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/577,056	NYE-HINGSTON ET AL.	
	Examiner	Art Unit	
	Lloyd A. Gall	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 July 2006 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 7/31/06; 8/29/06.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the specific structure of claims 3 and 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claims 1-9 are objected to because of the following informalities: Claims 1-9 are unclear as claim 1, line 4 claims plural locking systems, while claim 1, line 9 and further occurrences claim a single locking mechanism. In claim 1, the last line, a comma

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should follow "cabinet". In claim 2, line 3, it is not clear what is being referred to as "switch actuator combinations". The radio receiver and transmitter of claim 4 contradicts "in proximity" in claim 1, line 11. In claim 4, line 3, it is not clear what is referred to as "or interrogable device". In claim 5, line 3, "non" should read "non-". In line 1 of claims 6-9, "The A" is grammatically incorrect. In claim 9, line 2, --said—should follow "wherein". In claim 9, line 4, a comma should follow "cabinet". Appropriate correction is required.

In view of the above claim objections, the claims are rejected as best understood, on prior art, as follows.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Williamson, Jr. et al (106).

Williamson teaches a plurality of solenoid locks and plungers to engage and lock a plurality of cabinets doors, wherein as set forth in the Abstract and column 4, line 1, a wireless remote transmitter actuator may actuate the solenoids through a partially concealed switch 21. It is also noted that "partially concealed" is a structurally unsupported functional limitation, of no patentable significance, and does not add structure to the claimed locking system. The system also includes a battery. With respect to claim 2, the system also includes plural switch actuator combinations, such

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as 1400, 1402, 1404 and 1406 as seen in fig. 14. With respect to claim 5, the solenoid plungers also occupy a locked position when the switch actuator(s) are not actuated.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson, Jr. et al in view of Hosmer.

Hosmer teaches a partially concealed reed switch 27 actuated by a magnet 35. It would have been obvious to substitute a reed switch and magnet, for the transmitter 13 and antenna 21 of Williamson et al, in view of the teaching of Hosmer, the motivation being to simplify actuation of the locking system, wherein either type of well known actuator would function just as well.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson et al in view of either Butt or Hatcher.

Butt teaches a master switch and connection 70 for other actuators 71, 72. Hatcher teaches a master switch and connection 28 for another actuator 27, 30. It would have been obvious to provide a master/override connection for the locking system of Williamson et al, in view of the teaching of either Butts or Hatcher, the motivation being to allow the locking system to be actuated from plural locations, or by plural specific individuals.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson et al in view of Hosmer as applied to claim 1 above, and further in view of either Butts or Hatcher.

Butt teaches a master switch and connection 70 for other actuators 71, 72. Hatcher teaches a master switch and connection 28 for another actuator 27, 30. It would have been obvious to provide a master/override connection for the locking system of Williamson et al as modified by Hosmer, in view of the teaching of either Butts or Hatcher, the motivation being to allow the locking system to be actuated from plural locations, or by plural specific individuals.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson et al in view of either Butts or Hatcher as applied to claim 7 above, and further in view of Hughes.

In column 1, lines 27-29, Hughes teaches that it is well known to utilize a switch for a predetermined period of time. It would have been obvious to modify the switch actuator of Williamson to be operable for a predetermined period of time after being actuated, in view of the teaching of Hughes, the motivation being to optimize its security.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson et al in view of Hosmer and either Butts or Hatcher as applied to claim 7 above, and further in view of Hughes.

In column 1, lines 27-29, Hughes teaches that it is well known to utilize a switch for a predetermined period of time. It would have been obvious to modify the switch actuator of Williamson as modified by Hosmer to be operable for a predetermined period of time

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after being actuated, in view of the teaching of Hughes, the motivation being to optimize its security.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on 571-272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lloyd A. Gall
Lloyd A. Gall
Primary Examiner
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LG LG

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